

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

COMMODITY FUTURES TRADING) Case No. 7:05CV5026
COMMISSION,)
)
Plaintiff,)
)
vs) **MEMORANDUM
AND ORDER**
TODD J. DELAY,)
)
Defendant.)

Trial of this matter has been concluded. I have heard the oral arguments of the parties. The parties wish to submit briefs. With that in mind,

IT IS ORDERED that:

1. No later than the close of business on July 14, 2006, each side shall submit an opening brief.
 - A. The brief shall include a separate section devoted to the material facts. The statement of facts shall consist of short numbered paragraphs, each containing pinpoint references¹ to the evidence supporting the factual assertion. This section of the brief shall constitute a party's proposed

¹In the case of exhibits, citation should be to the exhibit number and the page of the exhibit to which reference is made. In the case of testimony presented in the form of a deposition or Chicago Mercantile Exchange hearing transcript, citation should be to the exhibit number, and the page and line of the testimony. In the case of pleadings, citation should be to the filing number and the CM/ECF page number. In the case of live trial testimony, citation should be to the page and line of the trial transcript.

findings of fact. *See* Federal Rule of Civil Procedure 52(a) and NECivR 52.1.

- B. The brief shall include a separate section devoted to the law and the application of the law to the facts. This section of the brief shall constitute a party's proposed conclusions of law. *See* Federal Rule of Civil Procedure 52(a).
2. No later than the close of business on August 4, 2006, each side shall submit a reply brief responding to the opening brief of the opposing party.
3. This case will be deemed submitted for decision on August 5, 2006.

May 11, 2006.

BY THE COURT:

s/ *Richard G. Kopf*
United States District Judge